

FORM PTO-1390 MODIFIED	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY DOCKET NUMBER 2818-208
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) 10/501,472
INTERNATIONAL APPLICATION NO. PCT/IT03/00011	INTERNATIONAL FILING DATE 15 January 2003	PRIORITY DATE CLAIMED 15 January 2002
TITLE OF INVENTION DERIVATIVES OF A-PHENYLTHIOCARBOXYLIC AND SG(A)-PHENYLOXY-CARBOXYLIC ACIDS USEFUL FOR THE TREATMENT OF DISEASES RESPONDING TO PPARA ACTIVATION		
APPLICANT(S) FOR DO/EO/US GIANNESI, F. et al.		
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. <input type="checkbox"/> The U.S. has been elected by the expiration of 19 months from the priority date (Article 31). A copy of the International Application as filed (35 U.S.C. 371(c)(2)). <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (pages specification, claims & abstract (claims), sheets drawings). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). <input type="checkbox"/> An English language translation <ul style="list-style-type: none"> a. <input type="checkbox"/> of the International Application as filed (35 U.S.C. 371(c)(2)) is attached hereto (pages specification, claims & abstract (claims), sheets drawings, page Certificate of Translation). b. <input type="checkbox"/> of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. § 371(c)(5)). <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). a. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). <ul style="list-style-type: none"> b. <input type="checkbox"/> Declaration was submitted to the International Bureau during International Phase (see copies of Declaration (Form PCT/RO/101 and Form PCT/IB/371 and first page of printed publication acknowledging receipt thereof attached). page See item 6.b. above. <p>Items 11 To 20 below concern document(s) or information included:</p> <ol style="list-style-type: none"> <input type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included. <input type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. <input type="checkbox"/> A substitute specification. <input type="checkbox"/> A change of power of attorney and/or address letter. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). <input type="checkbox"/> Other items or information. 		

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.10)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER																				
10/501,472	PCT/IT03/00011	2818-208																				
21. <input checked="" type="checkbox"/> The following fees are submitted:		CALCULATIONS PTO USE ONLY																				
BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5): <ul style="list-style-type: none"> -- Neither international preliminary examination fee (37 C.F.R. 1.482) nor international search fee (37 C.F.R. 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO.....\$1110.00 -- International preliminary examination fee (37 C.F.R. 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO\$950.00 -- International preliminary examination fee (37 C.F.R. 1.482) not paid to USPTO but international search fee (37 C.F.R. 1.445(a)(2)) paid to USPTO.....\$790.00 -- International preliminary examination fee (37 C.F.R. 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4)\$750.00 -- International preliminary examination fee (37 C.F.R. 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4)\$100.00 																						
ENTER APPROPRIATE BASIC FEE AMOUNT =		\$ <input type="text"/> <input type="text"/>																				
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).		\$ <input type="text"/> <input type="text"/> 0.00																				
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">CLAIMS</th> <th style="width: 25%;">NUMBER FILED</th> <th style="width: 15%;">NUMBER EXTRA</th> <th style="width: 15%;">RATE</th> <th style="width: 20%;"> </th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td>0</td> <td>minus 20 =</td> <td>0</td> <td>X \$18.00</td> </tr> <tr> <td>Independent Claims</td> <td>0</td> <td>minus 3 =</td> <td>0</td> <td>X \$88.00</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIMS(S) (if applicable)</td> <td>\$300.00</td> <td>\$ 0.00</td> </tr> </tbody> </table>		CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		Total Claims	0	minus 20 =	0	X \$18.00	Independent Claims	0	minus 3 =	0	X \$88.00	MULTIPLE DEPENDENT CLAIMS(S) (if applicable)			\$300.00	\$ 0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																			
Total Claims	0	minus 20 =	0	X \$18.00																		
Independent Claims	0	minus 3 =	0	X \$88.00																		
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)			\$300.00	\$ 0.00																		
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$430.00/2 months; \$980.00/3 months)		\$ <input type="text"/> <input type="text"/> 0.00																				
TOTAL OF ABOVE CALCULATIONS =		\$ <input type="text"/> <input type="text"/> 0.00																				
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		0.00																				
SUBTOTAL =		\$ <input type="text"/> <input type="text"/> 0.00																				
Processing fee of \$130.00, for furnishing the English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f)).		+ <input type="text"/> <input type="text"/> 0.00																				
TOTAL NATIONAL FEE =		\$ <input type="text"/> <input type="text"/> 0.00																				
Fee for recording the enclosed assignment (37 C.F.R. 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property		+ <input type="text"/> <input type="text"/> 40.00																				
Fee for Petition to Revive Unintentionally Abandoned Application (\$1370.00 – Small Entity = \$685.00)		\$ <input type="text"/> <input type="text"/> 0.00																				
TOTAL FEES ENCLOSED =		\$ <input type="text"/> <input type="text"/> 40.00																				
		Amount to be: refunded <input type="text"/> \$ <input type="text"/> Charged <input type="text"/> \$ <input type="text"/>																				
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$40.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. 14-1140 in the amount of \$ <input type="text"/> to cover the above fees. A duplicate copy of this form is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A <u>duplicate</u> copy of this form is enclosed.</p> <p>d. <input type="checkbox"/> CREDIT CARD PAYMENT FORM ATTACHED.</p> <p>e. <input checked="" type="checkbox"/> The entire content of International Application No. PCT/IT03/00011 and any U.S. and foreign application(s) corresponding thereto, and <input type="text"/>, referred to in this application is/are hereby incorporated by reference in this application.</p> <p>NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>CORRESPONDENCE ADDRESS Direct all correspondence to:</p> <p><input checked="" type="checkbox"/> Customer Number: 23117</p> <p>Type Customer Number here</p> <p>Telephone: (703) 816-4000 ARC:eaw</p> <p></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Arthur R. Crawford</td> <td style="width: 50%;">NAME</td> </tr> <tr> <td>25,327</td> <td>November 10, 2004</td> </tr> <tr> <td>REGISTRATION NUMBER</td> <td>Date</td> </tr> </table>			Arthur R. Crawford	NAME	25,327	November 10, 2004	REGISTRATION NUMBER	Date														
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25,327	November 10, 2004																					
REGISTRATION NUMBER	Date																					

RULE 63 (37 C.F.R. 1.63)
DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "**Derivatives of *α*-phenyliothiocarboxylic and *α*-phenyloxy-carboxylic acids useful for the treatment of diseases responding to PPAR_α activation**" the specification of which (check applicable box(s)):

is attached hereto
 was filed on _____

as U.S. Application Serial No.
PCT/IT03/00011

on January 15, 2003

and (if applicable to U.S. or PCT application) was amended on _____

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. 1.56. I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed or, if no priority is claimed, before the filing date of this application:

Priority Foreign Application(s):

Application Number	Country	Day/Month/Year Filed
RM2002A000014	IT	15.01.2002

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

Application Number	Date/Month/Year Filed
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I hereby claim the benefit under 35 U.S.C. 120/365 of all prior United States and PCT international applications listed above or below and, insofar as the subject matter of each of the claims of this application is not disclosed in such prior applications in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. 1.56 which occurred between the filing date of the prior applications and the national or PCT international filing date of this application:

Prior U.S./PCT Application(s):

Application Serial No.	Day/Month/Year Filed	Status: patented Customer No. 23117 pending, abandoned
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. And I hereby appoint NIXON & VANDERHYE P.C., 1100 North Glebe Rd., 8th Floor, Arlington, VA 22201-4714, telephone number (703) 816-4000 (to whom all communications are to be directed), and the following attorneys thereof (of the same address) individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent: Arthur R. Crawford, 25327; Larry S. Nixon, 25640; Robert A. Vanderhye, 27076; James T. Hosmer, 30184; Robert W. Faris, 31352; Richard G. Besha, 22770; Mark E. Nusbaum, 32348; Michael J. Keenan, 32106; Bryan H. Davidson, 30251; Stanley C. Spooner, 27393; Leonard C. Mitchard, 29009; Duane M. Byers, 33363; Jeffry H. Nelson, 30481; John R. Lastova, 33149; H. Warren Burnam, Jr. 29366; Thomas E. Byrne, 32205; Mary J. Wilson, 32955; J. Scott Davidson, 33489; Alan M. Kagen, 36178; William J. Griffin, 31260; Robert A. Molan, 29834; B. J. Sadoff, 36663; James D. Berquist, 34776; Updeep S. Gill, 37334.

Inventor's Signature: 

Date: 23/06/2004

Inventor: GIANNESI

FABIO

Italian

(first)

MI

(last)

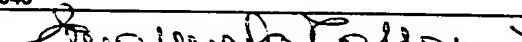
(citizenship)

Residence: (city) ROMA ITX

(state/country) ITALY

Post Office Address: c/o SIGMA-TAU INDUSTRIE FARMACEUTICHE RIUNITE S.p.A. - Via Pontina Km. 30,400 Pomezia

(Zip Code) 00040

Inventor's Signature: 

Date: 23/06/2004

Inventor: TASSONI

EMANUELA

Italian

(first)

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(Zip Code) 00040

Inventor's Signature: 

Date: 23/06/2004

Inventor: DELL'UOMO

NATALINA

Italian

(first)

MI

(last)

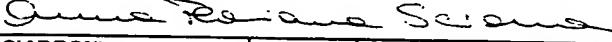
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Inventor's Signature: 

Date: 23/06/2004

Inventor: SCIARRONI

ANNA FLORIANA

Italian

(first)

MI

(last)

(citizenship)

Residence: (city) ROMA ITX

(state/country) ITALY

Post Office Address: c/o SIGMA-TAU INDUSTRIE FARMACEUTICHE RIUNITE S.p.A. - Via Pontina Km. 30,400 Pomezia

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FOR ADDITIONAL INVENTORS, check box and attach sheet with same information and signature and date for each.

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PCT/IT03/00011

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Application Number

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Country

IT

Day/Month/Year Filed

15.01.2002

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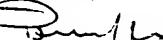
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Day/Month/Year Filed

Status: patented
pending, abandoned

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Inventor's Signature:



Date:

23/06/2004

Italian

S - 00 Inventor:

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Inventor's Signature:



Date:

23/06/2004

Italian

Inventor:

ARDUINI

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Residence: (city)

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(state/country) ITALY

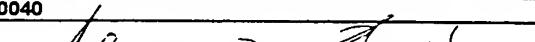
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Inventor's Signature:



Date:

23/06/2004

Italian

Inventor:

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FOR ADDITIONAL INVENTORS, check box and attach sheet with same information and signature and date for each.